

**To:** Schlieger, Brian[schlieger.brian@epa.gov]; Woodyard, Josh[Woodyard.Joshua@epa.gov]  
**From:** Cheatham, Reggie  
**Sent:** Fri 8/14/2015 7:18:22 PM  
**Subject:** FW: NEEDS QUICK RESPONSE PLEASE

FYI

Reggie Cheatham, Director  
Office of Emergency Management  
202-564-8003(w) 202-689-9400(c)

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**From:** Natarajan, Nitin  
**Sent:** 8/14/2015 2:54 PM  
**To:** Cheatham, Reggie  
**Subject:** Fwd: NEEDS QUICK RESPONSE PLEASE

Good for now

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Nitin Natarajan  
Deputy Assistant Administrator  
Office of Solid Waste and Emergency Response  
Environmental Protection Agency  
202-566-0200 Office

Begin forwarded message:

**From:** "Thomas, Ben -OSEC" <Ben.Thomas@osec.usda.gov>  
**Date:** August 14, 2015 at 14:49:03 EDT  
**To:** "Natarajan, Nitin" <Natarajan.Nitin@epa.gov>, "Fritz, Matthew" <Fritz.Matthew@epa.gov>  
**Cc:** "Britton, Joe - OSEC" <Joe.Britton@osec.usda.gov>, "Christenson, Daniel - OSEC" <Daniel.Christenson@osec.usda.gov>  
**Subject:** RE: NEEDS QUICK RESPONSE PLEASE

Thanks Nitin! We provided the public-facing information from the link to the EPA website below to FAS/Tokyo and they said they have what they need for now. Thanks for your help,

-Ben

**From:** Natarajan, Nitin [<mailto:Natarajan.Nitin@epa.gov>]  
**Sent:** Thursday, August 13, 2015 7:42 PM  
**To:** Fritz, Matthew; Thomas, Ben -OSEC  
**Cc:** Britton, Joe - OSEC; Christenson, Daniel - OSEC  
**Subject:** RE: NEEDS QUICK RESPONSE PLEASE

Ben,

Our folks are working on some TPs for this. We can't make a statement as strong as the FDA since these aren't facilities we regulate or have the same controls over that the FDA does, but we can speak to the science and what we know. We're working with our science folks to turn this around ASAP.

N

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Nitin Natarajan

Deputy Assistant Administrator

Office of Solid Waste and Emergency Response

Environmental Protection Agency

202-566-0200 Office

**From:** Fritz, Matthew  
**Sent:** Thursday, August 13, 2015 7:41 PM  
**To:** Thomas, Ben -OSEC  
**Cc:** Britton, Joe - OSEC; Christenson, Daniel - OSEC; Natarajan, Nitin  
**Subject:** Re: NEEDS QUICK RESPONSE PLEASE

Ben,

I have included Nitin Natarajan on this reply. He can connect with the right folks from our end.

On Aug 13, 2015, at 5:15 PM, Thomas, Ben -OSEC <[Ben.Thomas@osec.usda.gov](mailto:Ben.Thomas@osec.usda.gov)> wrote:

Thank you! I will get this to the right people. Is there a best POC for our technical staff in case there are additional inquiries from the Japanese?

-Ben

**From:** Fritz, Matthew [<mailto:Fritz.Matthew@epa.gov>]

**Sent:** Thursday, August 13, 2015 5:04 PM

**To:** Thomas, Ben -OSEC; Britton, Joe - OSEC; Christenson, Daniel - OSEC

**Subject:** RE: NEEDS QUICK RESPONSE PLEASE

Ben,

Here is our situation report for today. As you scroll down you will see what – in terms of water – has been provided for livestock purposes in both New Mexico and Colorado.

## Gold King Mine Release

EPA Internal Update: August 13, 2015 1530 ET

### Situation Summary

Overview: On August 5, 2015, EPA was conducting an investigation of the Gold King Mine near Silverton, Colorado, to assess the on-going water releases from the mine, treat mine water, and assess the feasibility of further mine remediation. While excavating loose material that had collapsed into the cave entry, pressurized water began leaking above the mine tunnel, spilling an estimated three million gallons of water stored behind the collapsed material into Cement Creek, a tributary of the Animas River. The release's path currently flows through three of EPA's regions: Region 8—Colorado, Utah and the Southern Ute Tribe; Region 6--New Mexico; and, Region 9--Navajo Nation. The flow from the Gold King Mine is currently

estimated at 215 gallons per minute. The mine water is being treated in a series of four settling ponds constructed near the portal. The La Plata County Sheriff issued an order closing the Animas River to all watercraft from the north County line (San Juan County, Colorado) to the south County line (at the Colorado/New Mexico State line) until further notice. EPA's Airborne Spectral Photometric Environmental Collection Technology (ASPECT) aerial reconnaissance combined with observations on the ground indicate that the plume associated with the Gold King Mine release has dissipated downstream. There is no leading edge of contamination visible in downstream sections of the San Juan River or in Lake Powell.

Public Website: A public-facing website has been set up for the response: <http://www2.epa.gov/goldkingmine>. The EPA Administrator, Gina McCarthy, arrived in Durango, CO on August 12 to tour the Animas River and meet with members of Unified EPA Area Command.

Response Organization: EPA is integrated in Unified Command in Durango, CO and in four Incident Command Posts (ICPs) in Silverton and Durango, CO, Farmington, NM, and Lake Powell (at the Arizona and Utah Border). Unified EPA Area Command is in the process of standing up operations out of Durango, CO with representatives from EPA Regions 6, 8 and 9. Anticipated activities include:

- Coordinating activities from the various Incident Command Posts in the Regions.
- Consolidating situation reports from the ICPs into a single Unified Command situation report.
- Routing resource and funding requests from the ICPs to HQ
- Reviewing sampling data and developing public messaging.
- Determining staffing needs for EPA hotlines

The Headquarters Emergency Operations Center (HQ EOC) activated to Level 1 Operations on Tuesday, August 11.

## **Data Management Team**

The HQ Environmental Unit (EU) performed cursory reviews of Region 8 water samples taken August 5 - 9 and Region 6 water samples taken August 7 – 8 previously validated by regional data teams. The EU also has a list of labs via OEM's Environmental Response Laboratory Network (ERLN).

*Regional Risk-based Screening Levels.* ORD staff reviewed the draft Risk-based Screening Levels that were developed by Regional risk assessors. ORD reviewers concluded that the proposed screening levels were reasonable and conservative (protective). It was also suggested that the levels might want to address the issue of dermal exposure although it is expected that based on risk assessments at other Superfund sites, dermal exposure from metals would not be a driver for human health risks.\_

*Modeling of Contaminant Fate and Transport.* ORD (NERL Athens) has offered to conduct a modeling study of the Animas River that would predict the fate, transport, and exposure to key contaminants released from the Gold King Mine site. The proposed study would utilize a model to predict contaminant concentrations in water and sediments and to estimate contaminant concentrations in game fish.

*Additional Lab Capacity.* ORD is looking into the additional options for obtaining extra laboratory analytical capacity should the need arise. ORD is determining what level of onsite and contractor sample analysis capacity we have in the event that the Regions exceed their current capability. All the Regions with lab capabilities have already been put on notice in case backup is needed.

*Field Analyses.* The Region 6 DRA, has communicated to ORD about the needs that the region has for analyzing soil, sediment, and water samples in the field. ORD has provided the DRA with a one-pager that simply identifies the current state of the technology with links to more information about the various technologies provided. Staff in Duluth and Cincinnati have provided input.

*Imagery.* ORD staff are ready to access their colleagues at USGS and NASA to gather additional aerial imagery. The ASPECT plane has been providing information but we have access to other sources should the need arise.

*Review of Analytical Data.* ORD staff is assisting the Environment Unit in reviewing data from the site.

## **Claims**

A claims process exists for compensating citizens who suffer personal injury or property damage caused by U.S. government actions. The process is available in EPA's regulations at 40 CFR Part 10, and includes guidance on documentation that may be required to support claims for loss of employment and loss of income, among other claims.

## **Area Command (AC)**

AC is in the process of activating for this response and will consolidate situation reports, coordinating data messaging, establishing screening levels, managing the 844 claims phone number for private well sampling, coordinate finance and resource requests for the Regional ICPs to HQ.

## **Region 8 ICP (Durango and Silverton, CO)**

*Water Sampling:* The EPA initiated a water quality sampling effort on August 5, to assess the impacts of the release at the Gold King Mine. There were 30-40 private well water samples collected on August 10. The analysis of these samples include pH, dissolved concentrations of metals, and operational milestones.

<u><b>System Name</b></u>	<u><b>Population</b></u>	<u><b># Days Water Available</b></u>
Durango, CO	23,000	Indefinite, using another source
Glacier Club, CO	525	Indefinite, using stored water and another source

No impacted systems in Utah, all have groundwater sources	N/A	N/A
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Region 8 has been coordinating private well sampling, with both EPA and State teams (including contractors) collecting well samples in Colorado. EPA is paying for the analyses. EPA has been sampling all wells that have been requested, but is now creating a prioritization process since the demand is so high. Region 8 staff have created a list of private wells in the alluvial zone near the river, and is now sorting that list by distance to the river.

All municipal drinking water systems along the Animas River in Colorado, New Mexico, and Utah either are using alternate water sources or have enough clean source water stored that they have not had to shut down.

*Surface Water & Sediment Sampling:* Baseline surface water quality data from the past 17 years has been obtained, and will be compared with the new water quality data. Surface water quality samples were collected from 7 locations near Silverton, CO; two of these locations were on Cement Creek, and five of these were on the Animas River in Colorado. Region 8 continues to operate four treatment and sedimentation ponds at the mine site and are treating water by lowering acidity levels and removing dissolved metals. Treated water from the last treatment pond is discharging into Cement Creek are measured at levels below (higher pH and lower levels of metals) than the pre-event, background conditions in the creek.

*Agriculture/Livestock:* EPA Region 8 is distributing bottled water to citizens, and both potable and non-potable water for livestock and other agricultural purposes, as needed.

### **Region 6 ICP (New Mexico Command, Farmington, NM)**

\* *Region 6 RA Visit:* The Region 6 Administrator and OSCs participated in the 8/11 community meeting in Farmington, NM.

\* *General Call-in Phone Number:* Region 6 created a new general, public call-in number for Regions 6, 8, and 9: (844) 382-9670.

*Water Sampling:* Private well water sampling is ongoing (analytical results are pending) and field pH levels and other water quality parameters are being monitored. Six private drinking water well teams collected samples at 30 locations. Based on conversations with the State of New Mexico and drinking water systems on August 11, the following is the list of affected water systems and their status:

<u>System Name</u>	<u>Population</u>	<u># Days Water Available</u>
Aztec Domestic Water System	6800	10
Farmington Water System	47,000	60
Lower Valley WUA	8,428	8
Morningstar Water Supply System	6,423	7-14
Northstar WDWCA	4,123	45
Southside Mutual Domestic	1,593	5, but depends on Aztec
Upper La Plata WUA	2,265	Depends on Aztec and Farmington
Flora Vista	4,300	1, but depends on Aztec
<b>Total Population</b>	<b>80,932</b>	-

*Surface Water & Sediment Sampling:* Nine (9) surface water and sediment samples were collected. Three (3) of the nine sediment samples had visible discolored sediment material. One (1) of these samples was from Farmington, NM and two were from Aztec, NM. Preliminary lab data from August 8 have been received and are being validated and interpreted.

*Agriculture/Livestock:* San Juan County has requested water hauler trucks to start making deliveries. Each water hauler is estimated to be able to carry 5,000 gallons. One truck is needed per acre, which provides about a quarter inch of water. Four water deliveries for agriculture or livestock needs were made on August 11. The limiting factor is the number of available trucks. Region 6 estimates that there will be 13 trucks available by the end of the



week. San Juan County is coordinating loading points and logistics for staging and scheduling the trucks.

EPA assisted NMED by providing support at the residential water testing station located at the San Juan County Fairgrounds.

### **Region 9 ICP (Navajo Command, Farmington, NM)**

*Water Sampling:* Potentially impacted public water systems have been notified and precautions are in place to ensure drinking water in homes is protected. Monitoring is being conducted by several agencies including US Geological Survey (USGS), Utah Division of Water Quality (UDWQ), and the USGS Utah Water Science Center. The UDWQ has a crew at the state-line with a pH meter waiting for the plume and estimates that the plume will arrive between 3:00pm and midnight tonight. They plan to collect samples through Friday (8/14). The Bureau of Reclamation is not yet performing sampling, but has increased water releases from the Navajo Reservoir in attempt to maintain a target base flow through the endangered fish critical habitat. They are planning to sample Lake Powell with USGS in the near future. The AZDEQ is planning to take samples tomorrow from two locations: Glen Canyon Dam intake and the Lee's Ferry Boat ramp (water plant intake).

### **EPA Headquarters**

The HQ EOC has been activated at Level 1 for this incident. HQ EOC tasks include:

- coordination of Regional staffing and funding needs;
- participation in data calls to interpret water and sediment data;
- exploration of various authorities and funding sources that might be available to the Agency in responding to this incident;
- determination of which public drinking water systems use the Animas River as a water source, if these systems have alternate sources for intake water, and how many days' supply they have; and

- development of messages for the public-facing website on the suitability of the water for various uses (drinking, recreation, agricultural, livestock).

In addition, the following HQ activities also occurred:

- The EPA Administrator, Gina McCarthy, arrived in Durango, CO on August 12 to tour the Animas River and meet with members of Unified EPA Area Command.
- After multiple flyovers, ASPECT reconnaissance indicates that the plume associated with the Gold King Mine release has dissipated downstream, and there is no leading edge of contamination visible in downstream sections of the San Juan River or Lake Powell. ASPECT did not fly on August 11, 2015, due to weather conditions. They plan on flying on August, 12.
- EPA held an incident briefing with the National Response Team and provided brief outs to regional offices from participating agencies.

HQ EOC PIO: EPA issued two press releases regarding the Gold King Mine Release incident, on 8/8 and 8/11, respectively. EPA will be posting Administrator McCarthy's statement about EPA ceasing field investigation work at mine site and tailings facilities. The PIO is working to find subject-matter experts (SMEs) to serve as JIC reachback personnel. The PIO also worked with the UC PIO to develop public messaging designed to explain data results and provide possible protective actions.

HQ EOC Finance: EPA is still collecting financial information for this incident

#### NUMBER OF PERSONNEL INVOLVED:

Region/State	Current		Current		Total
	EPA Personnel In Field (All venues other than EPA Offices)	EPA Contractor Personnel in the Field	EPA Personnel in REOC / HQEOC	Contractor Personnel in REOC / HQEOC	

Region 8	24	17	11	2	<b>54</b>
Region 6	21	32	14	4	<b>71</b>
Region 9	2	7	2	0	<b>11</b>
HQ EOC	0	0	17	2	<b>19</b>
<b>Total</b>	<b>47</b>	<b>56</b>	<b>44</b>	<b>8</b>	<b>155</b>

**\*HQ EOC numbers reflect personnel supporting the response during the current operational period. Regional numbers reflect personnel responding to the incident on August 11<sup>th</sup>.**

**From:** Thomas, Ben -OSEC [<mailto:Ben.Thomas@osec.usda.gov>]  
**Sent:** Thursday, August 13, 2015 4:41 PM  
**To:** Fritz, Matthew; Britton, Joe - OSEC; Christenson, Daniel - OSEC  
**Subject:** RE: NEEDS QUICK RESPONSE PLEASE

Hi Matthew,

Because the Japanese appear to be focused on aquatic life (and they are generally very sensitive when it comes to fish), any good news from analysis on the water quality would be reassuring in combination with the FDA update below. Also, mention of any mitigation efforts specifically with regard to fish (ie, quarantines, etc) if any could help. In the meantime I will check with folks here to see if there is anything more specific they are looking for.

-Ben

**From:** Fritz, Matthew [<mailto:Fritz.Matthew@epa.gov>]  
**Sent:** Thursday, August 13, 2015 4:32 PM  
**To:** Thomas, Ben -OSEC; Britton, Joe - OSEC; Christenson, Daniel - OSEC  
**Subject:** RE: NEEDS QUICK RESPONSE PLEASE

Ben,

Thanks. The mention of talking points – are folks there looking for information around the results we are seeing in sampling, etc. Our sampling has focused on water sources. Would any of the analytical work we have done be beneficial? Let me know what might be most helpful.

**From:** Thomas, Ben -OSEC [<mailto:Ben.Thomas@osec.usda.gov>]  
**Sent:** Thursday, August 13, 2015 3:54 PM  
**To:** Britton, Joe - OSEC; Fritz, Matthew; Christenson, Daniel - OSEC  
**Subject:** RE: NEEDS QUICK RESPONSE PLEASE

What stated FDA provided (pasted again below) is helpful from FDA's perspective, what USDA is asking for now is a similar statement or talking points from EPA, since they are lead agency with boots on the ground. Essentially USDA-FAS post is looking for talking points to prevent Japan from putting restrictions on food imports from impacted areas.

FDA assessment of regulated firms in areas affected by the wastewater spill into the Animas River continues. No FDA regulated products have been found to date which were exposed to potentially contaminated water from the spill.

FDA's District Office in Denver and the Office Crisis Management continue to monitor the situation as it unfolds, but to date, no FDA regulated commodities or facilities have been impacted nor does it appear that any FDA-regulated commodities were exported internationally.

**From:** Britton, Joe - OSEC  
**Sent:** Thursday, August 13, 2015 3:16 PM  
**To:** Fritz, Matthew; Christenson, Daniel - OSEC  
**Cc:** Thomas, Ben -OSEC  
**Subject:** RE: NEEDS QUICK RESPONSE PLEASE

Looping in Ben from FFAS. Jess Paulson initiated this from FAS. Think you could jump in here?

**From:** Fritz, Matthew [mailto:Fritz.Matthew@epa.gov]  
**Sent:** Thursday, August 13, 2015 3:02 PM  
**To:** Christenson, Daniel - OSEC; Britton, Joe - OSEC  
**Subject:** FW: NEEDS QUICK RESPONSE PLEASE

Dan and Joe,

Please take a look. Your assistance on this matter will be incredibly helpful.

**From:** Purchia, Liz  
**Sent:** Thursday, August 13, 2015 2:57 PM  
**To:** Fritz, Matthew  
**Subject:** FW: NEEDS QUICK RESPONSE PLEASE

Can you help with this, from USDA. See below.

**From:** Daguillard, Robert  
**Sent:** Thursday, August 13, 2015 2:54 PM  
**To:** StClair, Christie  
**Cc:** Colaizzi, Jennifer C.; Purchia, Liz  
**Subject:** RE: NEEDS QUICK RESPONSE PLEASE

This is not a media inquiry. Is this for us to handle?

**From:** StClair, Christie  
**Sent:** Thursday, August 13, 2015 2:52 PM  
**To:** Jenkins, Laura Flynn  
**Cc:** Daguillard, Robert; Colaizzi, Jennifer C.; EOC Public Information; Press; Mylott, Richard; Purchia, Liz  
**Subject:** Re: NEEDS QUICK RESPONSE PLEASE

Liz do you want to handle or should I?

**Christie St. Clair**

Office of Public Affairs

Environmental Protection Agency

o: 202-564-2880

m: 202-768-5780

On Aug 13, 2015, at 12:50 PM, "Laura Jenkins" <[Jenkins.Laura@epamail.epa.gov](mailto:Jenkins.Laura@epamail.epa.gov)> wrote:

This is from USDA. They're asking for a POC because Japan is concerned about safety of food from impacted areas and may ban all products (SEE BELOW). ***This is extremely important to address ASAP.***

"Japan's MHLW is concerned about the safety of food produced near the Animas River and beyond, so they may be issuing a press release which may ban all products produced near the affected region. My friend would like to talk to someone who can tell him the extent of the damage and what the potential effect this will have on agriculture, fish, and other trade products."

Rich Mylott has provided some preliminary information but this definitely warrants a timely response.

Laura Jenkins

Media Officer

USEPA-Region 8

1595 Wynkoop St.

Mailcode: 8-OC

Denver, CO 80202

Landline: 303-312-6256

Cell: 202-360-8453

Fax: 303-312-6961

**From:** Daguillard, Robert  
**Sent:** Thursday, August 13, 2015 12:43 PM  
**To:** Jenkins, Laura Flynn; Colaizzi, Jennifer C.; EOC Public Information  
**Cc:** Mylott, Richard  
**Subject:** RE: NEEDS QUICK RESPONSE PLEASE

Well, I see references to USDA, FDA and "multiple sources." Is this a media inquiry?

Not to say we shouldn't respond as fast as possible, but what's the process for non-media queries?

**From:** Jenkins, Laura Flynn  
**Sent:** Thursday, August 13, 2015 2:39 PM  
**To:** Daguillard, Robert; Colaizzi, Jennifer C.; EOC Public Information  
**Cc:** Mylott, Richard  
**Subject:** FW: NEEDS QUICK RESPONSE PLEASE

Robert and Jennifer:

Wanted to be sure you saw this. Different versions of this same request have come in through multiple sources so please make sure this is responded to quickly.

Thanks,

Laura Jenkins

Media Officer

USEPA-Region 8

1595 Wynkoop St.

Mailcode: 8-OC

Denver, CO 80202

Landline: 303-312-6256

Cell: 202-360-8453

Fax: 303-312-6961

**From:** Mylott, Richard

**Sent:** Thursday, August 13, 2015 12:34 PM

**To:** Lee, Monica; Harrison, Melissa; Hull, George; Daguiard, Robert; Colaizzi, Jennifer C.; StClair, Christie; Ostrander, David; McKean, Deborah; Peterson, Cynthia; Card, Joan

**Cc:** Smith, Paula; McClain-Vanderpool, Lisa; Russo, Rebecca; Jenkins, Laura Flynn

**Subject:** FW: NEEDS QUICK RESPONSE PLEASE

Fyi, this would seem to be a high priority for response as it has to do with incomings to USDA re: a potential ban of food products in Japan from the Animas River watershed.

**From:** Davis, Tim

**Sent:** Thursday, August 13, 2015 12:29 PM

**To:** Russo, Rebecca; Smith, Paula; Mylott, Richard

**Subject:** RE: NEEDS QUICK RESPONSE PLEASE

Wow, I'm not sure! Rich, who would you recommend? Everyone's absolutely swamped, so I'm not sure whom to suggest they contact.



**From:** Russo, Rebecca  
**Sent:** Thursday, August 13, 2015 12:18 PM  
**To:** Smith, Paula  
**Cc:** Davis, Tim  
**Subject:** NEEDS QUICK RESPONSE PLEASE

Because of the mention below about the issuance of a press release that may ban all products produced near the Animas, this one needs more of a direct response than sending them to the website or call-line.

Who can I send them to?

Thanks.

Rebecca A. Russo

Region 8 Congressional and Intergovernmental Liaison

Office: 303-312-6757

Cell: 303-204-1930

**From:** Lin, Moye  
**Sent:** Thursday, August 13, 2015 12:14 PM  
**To:** Russo, Rebecca; Davis, Tim  
**Subject:** FW: MHLW's measure - waste water spill in Colorado

Hi Rebecca and Tim,

I received an email from a friend of mine who works at the USDA and he would like to know if we can give him a point of contact to request information about the Gold King Mine spill. I was told to send inquiries to Rich Mylott or Laura Flynn, but they are both out of the office. My friend needs a quick turnaround on this, so do you know who I can send his inquiry to?

Japan's MHLW is concerned about the safety of food produced near the Animas River and beyond, so they may be issuing a press release which may ban all products produced near the affected region. My friend would like to talk to someone who can tell him the extent of the damage and what the potential effect this will have on agriculture, fish, and other trade products.

Thanks,

\*\*\*\*\*

Moye Lin

USEPA, Region 8

Resource Conservation and Recovery Program, 8P-R

1595 Wynkoop St.

Denver, CO 80202-1129

Direct: 303-312-6667



Fax: 303-312-6341



**From:** Wu, Chih-Yung - FAS [<mailto:Chih-Yung.Wu@fas.usda.gov>]

**Sent:** Thursday, August 13, 2015 11:27 AM

**To:** Lin, Moye

**Subject:** FW: MHLW's measure - waste water spill in Colorado

**Importance:** High

Just FYI- Finally got a response from FDA. You can attach this to the message to the relevant EPA folks.

CYW

**From:** Ross, Bruce [<mailto:Bruce.Ross@fda.hhs.gov>]  
**Sent:** Thursday, August 13, 2015 1:08 PM  
**To:** Okumura, Kazuhiro; Wu, Chih-Yung - FAS  
**Cc:** Read, Jeffrey; Taveau, Daniella; Paulson, Jess - FAS; Taylor, Trip- FAS; [Davidp.Kelly@fda.hhs.gov](mailto:Davidp.Kelly@fda.hhs.gov); Ferus, Anna; Hashemi, Sema; Norris, Gary  
**Subject:** RE: MHLW's measure - waste water spill in Colorado

Kaz and Chih:

And to those on the cc-line: Greetings from Washington DC and FDA/ORA...

In response to your query for more information on the subject spill into the Animas River in Colorado last week. I can share the following information with you:

FDA assessment of regulated firms in areas affected by the wastewater spill into the Animas River continues. No FDA regulated products have been found to date which were exposed to potentially contaminated water from the spill.

FDA's District Office in Denver and the Office Crisis Management continue to monitor the situation as it unfolds, but to date, no FDA regulated commodities or facilities have been impacted nor does it appear that any FDA-regulated commodities were exported internationally.

If anything changes on this front we shall communicate back to the group as needed.

Warm regards,

Bruce

Bruce Ross, M.A., M.P.H.

International Programs  
Office of Regulatory Affairs  
Food & Drug Administration (FDA)  
10903 New Hampshire Avenue  
Silver Spring, MD 20993-0002

240.402.2866



| [Bruce.Ross@fda.hhs.gov](mailto:Bruce.Ross@fda.hhs.gov)

<image001.gif>

**From:** Wu, Chih-Yung - FAS  
**Sent:** Thursday, August 13, 2015 1:25 PM  
**To:** Lin, Moya  
**Subject:** FW: MHLW's measure - waste water spill in Colorado  
**Importance:** High

Dear Moya-

This is the request from our ADA I send to FDA and EPA HQ OPPTS yesterday but they have not chimed back. (Apologies if this may be a duplicate message to R8) So, as you can below from the email chain, the question we have received from our US Embassy colleagues in Tokyo is concerning the extent of damage on to US ag products from the Animas waste water spill. Japan's MHLW is concerned and is probably going to issue a press release banning any products produced near or within these waters.

Please send this message to the appropriate folks and communications office in Region 8. The request came yesterday and they were demanding an answer by COB.... But we know a 12 hr turn around was not possible since R8 is probably still working on crafting the public message. We do need to have something as soon as possible.

If you have any further questions, please contact me directly.

Cheers,

\*\*\*\*\*

Chih-Yung Wu 吳志勇

International Trade Specialist

Processed Products & Technical Regulations Div.

USDA Foreign Agriculture Service/OASA

1400 Independence Ave. S.W. (Rm. 5532)

Washington D.C. 20250-1027

Phone: 202.720.9058

Fax: 202.690.0677

\*\*\*\*\*

FAS Website: [www.fas.usda.gov](http://www.fas.usda.gov)

PPTRD page: [http://www.fas.usda.gov/itp/OSTA\\_PPTRD/PPTRD.asp](http://www.fas.usda.gov/itp/OSTA_PPTRD/PPTRD.asp)

<image002.gif>

<image003.gif>

**From:** Wu, Chih-Yung - FAS

**Sent:** Wednesday, August 12, 2015 1:31 PM

**To:** Read, Jeffrey; Taveau, Daniella

**Subject:** FW: MHLW's measure - waste water spill in Colorado

Jeff/Daniella-

I hope both of you have been well and enjoying the summer heat. We received a request from the Japanese Government concerning the recent wastewater spill in Colorado. They need to know what the potential effect this will have on agriculture, fish, and other trade products. I believe Japan is ramping up an announcement that will block any U.S. product that is produced from these waters. (irrigation of crops, hatcheries/fisheries, and municipal water systems that may feed into food production/products). They want to consider this information for their decision making process and possibly limit the scope of the announcement.

So, what we need to provide for MHLW is how FDA might take action with implications to the food supply and what EPA knows about how much agriculture will be affected.

Cheers,

\*\*\*\*\*

Chih-Yung Wu 吳志勇

International Trade Specialist

Processed Products & Technical Regulations Div.

USDA Foreign Agriculture Service/OASA

1400 Independence Ave. S.W. (Rm. 5532)

Washington D.C. 20250-1027

Phone: 202.720.9058

Fax: 202.690.0677

\*\*\*\*\*

FAS Website: [www.fas.usda.gov](http://www.fas.usda.gov)

PPTRD page: [http://www.fas.usda.gov/itp/OSTA\\_PPTRD/PPTRD.asp](http://www.fas.usda.gov/itp/OSTA_PPTRD/PPTRD.asp)

<image002.gif>

<image003.gif>

**From:** Meyer, Gary - FAS

**Sent:** Wednesday, August 12, 2015 11:17 AM

**To:** Flemings, JonAnn - FAS

**Cc:** Voboril, Dennis - FAS; Macke, Robert - FAS; Ramos, Karina - FAS; Wu, Chih-Yung - FAS

**Subject:** RE: MHLW's measure - waste water spill in Colorado

I'm thinking FDA in the past has wrestled with the possibility of contaminated irrigation water or a similar environmental problem with implications for the food supply. They may have something off the shelf that would describe when and how they might take action. Such a protocol would be a useful start for FAS/Tokyo in response to the MHLW inquiry.

We should also find the FDA point person for food-related questions about the Animas problem and what kind of actions are being undertaken now....even it's eagerly awaiting EPA testing results.

Appreciate PPTRD letting us know what they learn later today so Post has initial feedback tonight.

Many thanks.

Gary

**From:** Flemings, JonAnn - FAS  
**Sent:** Wednesday, August 12, 2015 10:15 AM  
**To:** Meyer, Gary - FAS  
**Subject:** FW: MHLW's measure - waste water spill in Colorado

**From:** Taylor, Trip- FAS  
**Sent:** Wednesday, August 12, 2015 10:12 AM  
**To:** Flemings, JonAnn - FAS; Rasmussen, Mark - FAS  
**Cc:** Paulson, Jess - FAS; Autry, Elizabeth - FAS  
**Subject:** FW: MHLW's measure - waste water spill in Colorado

Hello JonAnn and Mark,

Please see the email from Jess Paulson at Tokyo Post below.

Japan's MHLW is seeking information about the potential scope of food products affected by the toxic spill in Colorado (eg fish, crops irrigated with tainted water, etc). There is concern that products from the region will be blocked from the Japanese market until their safety is proven.

We realize it's still very early in the process, but we would like to be proactive in communicating with MHLW to avoid excessive restrictions.

Obtaining this information will require communicating with the EPA, and potentially FDA and APHIS, among others.

We would like to request your assistance in obtaining the information requested by MHLW. Can you please help us with this?



Thank you very much,

**Trip Taylor**

Desk Officer: Japan, China, India, Australia, New Zealand, & Pacific Islands

Office of Country and Regional Affairs

Foreign Agricultural Service

U.S. Department of Agriculture

Phone: (202) 649-3874



**From:** Paulson, Jess K [<mailto:Jess.Paulson@fas.usda.gov>]

**Sent:** Wednesday, August 12, 2015 1:24 AM

**To:** Taylor, Trip- FAS (FSIS); Taylor, Trip- FAS

**Cc:** Autry, Elizabeth - FAS

**Subject:** FW: MHLW's measure - waste water spill in Colorado

Trip,

MHLW is planning to hold fish products from the Animas River in response to reports of the waste water spill in Colorado. The decision was shared with us informally and a formal announcement will be made soon. They've asked us to provide information on the scope of products that may be affected by the spill – especially how it may affect products that are not as easily recognizable as affected as fish from the river (horticulture irrigated with water that is drawn from areas impacted by the spill, for example).

MHLW would also consider information we provide for the purpose of limiting the scope of products that are held or blocked. An example they offered are fish that originate from the Animas River upstream from the spill, or possibly also areas that are irrigated from a different watershed.

Could you help us coordinate discussion of this topic and collection/clearance of

information we could share with MHLW? I wonder who in DC would have the lead on this – fish, food safety, or plant-focused?

Thank you,

Jess

This email is UNCLASSIFIED.

**From:** Sato, Suguru  
**Sent:** Wednesday, August 12, 2015 11:19 AM  
**To:** Autry, Elizabeth A; Paulson, Jess K  
**Subject:** MHLW's measure - waste water spill in Colorado

Beth-san and Jess-san,

MHLW has approached us regarding waste water spill from the suspended mine into Animas River, Colorado.

As safety concerns to fish in the affected region are already raised, MHLW just announced import officials that the fish harvested from Animas River (and its processed products) should be held in ports until its safety is confirmed.

The announcement was just released via email to Japanese port officials and not official document yet.

MHLW is also concerned if this waste water spill may affect any agricultural products and/or processed food in the region, e.g., through ground water or tap water. Any information of affected and non-affected region and/or products is appreciated so that MHLW does not have to expand the measure. Also, MHLW will consider to narrow the current measure if we can provide non-affected region. For instance, fish and its processed products from the region upstream from the spill point should be safe.

Would you please reach W for the information?

Here is some media coverage about the incident.

<http://www.cnn.com/2015/08/10/us/colorado-epa-mine-river-spill/>

<http://www.cnn.com/2015/08/09/us/colorado-epa-mine-river-spill/>

Best,

SS

This email is UNCLASSIFIED.